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Drawing Amendments

There are no amendments to the drawings.

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Remarks

This a full and timely response to the outstanding Office Action mailed on 09/12/2007. Claims 1-4, 6-8, 10-26, 28-30, 32-48, 50-52, and 54-60, were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent Application Publication No. 2004/0198461 of D.J. Coombes (hereafter referred to as Coombes) in view of U.S. Patent Application Publication No. 2002/0142756 of J.D. Rutledge, et al. (hereafter referred to as Rutledge). Claims 1-4, 6-8, 10, 11, 23-26, 28-30, 32, 33, 45-48, 50-52, 54, 55, 58, 59, and 61-63 are being canceled. No claims are being amended.

Rejection of Claims 12-22, 34-44, 56-57, and 60 under 35

U.S.C. §103(a) over Coombes in view of Rutledge

Claim 12 recites:

A method for alerting a calling party of a delay before an incoming call will be answered by a user of a called wireless handset, comprising the steps of:

answering the incoming call by the wireless handset in response to a predefined amount of movement of the user as detected by the wireless handset when the telecommunication terminal is not engaged in another call;

muting an audio path of the answered call from communication with the user; and

transmitting a message that is selected by the user to the calling party.

The rejection of claim 12 is respectfully traversed.

Claim 12 recites in part "answering the incoming call by the wireless handset in response to a predefined amount of

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movement of the user as detected by the wireless handset...." Coombes and Rutledge do not disclose or suggest singularly or in combination the answering of an incoming call upon a predefined amount of movement of the user being detected by the handset; nor has the Office Action cited any text in Coombes or Rutledge where such a disclosure may be found. Applicant respectfully requests that the Examiner point out where such a disclosure maybe found.

Applicant respectfully submits that claim 12 is patentable under 35 U.S.C. §103(a) over the cited references.

Dependent claims 13-22 are directly or indirectly dependent on claim 12 and are patentable for at least the same reasons as claim 12.

Claims 34-44 are patentable for the same reasons as claims 12-22.

Claims 56 and 57 are patentable for the same reasons as claims 12 and 19.

Claim 60 is patentable for the same reasons as claim 12.

Summary

In view of the foregoing, applicant respectfully requests reconsideration of claims 12-22, 34-44, 56, 57, and 60, and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the

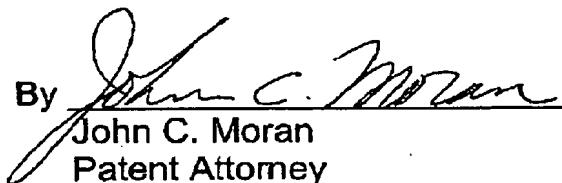
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Examiner is invited to call applicant's attorney at the telephone number listed below.

Respectfully,

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By


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